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FACSIMILE TRANSMITTAL SHEET

To:

Examiner Charles A. Marmor, II

FIRM/COMPANY:

U.S. Patent and Trademark Office /

Mail Stop Amendment

FACSIMILE NUMBER:

703,872,9306

CONFIRMATION

703.308.0858 (receptionist) or

TELEPHONE:

703.305.3521 (C.A. Marmor)

FROM:

Anne Marie Leavy for Edward J. Lynch

DIRECT DIAL:

415.371.2217

DATE:

September 14, 2004

USER NUMBER:

5121

FILE NUMBER:

Docket No. R0367-00302

TOTAL # OF PAGES: (INCLUDING COVERSHEET) 20

MESSAGE:

Attached is an Amendment and Response to the Office Action mailed 6/15/2004 and Terminal Disclaimer in connection with patent application Serial No. 10/650,027, filed August 27, 2003.

Please confirm receipt of this facsimile.

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PATENT

	IN	THE UNITED STAT	ES PATEN	IT AND TRA					
In re tl	he a pp lic	ation of Burbank et al.)	Examiner: C. A. Marmor, II					
For:		ELECTROSURGICAL BIOPSY DEVICE AND METHOD) Group Art Unit: 3736				
Serial	No.: 10	/650,027		ý					
Filed:	August	27, 2003)	TRANS	MITTAL				
		No.: R0367-00302		<u> </u>			_		
I here An	eby certify the	CERTIFICATE OF MA nat this these papers are being sent commissioner for Patents, P.O. Box	ny lacsimile to (f) 1450, Alexandra Anne Mari	FILE URSUANT 17) 872 7306 edding VA 2 1513-1450, MLL LAWY 16 Leav,	TO 37 C.F.J. sscd to Exam on September	R. §1.8 iner C.A. Marn 14, 2004, in Se	nor, II, at Mail St n Francisco, CA	юр.	
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1.	ransmit	oonse to Office Action l	m me above Mailed 06/1:	5/20()4 and T	erminal I	Disclaimer	by Attorne	<u>)∪iit</u> }Y.	
		ee Calculation						_	
		No additional claim fe							
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		DECIDION				_	Tee	À	
		Independent Claims	2201	5-4=	1 x	\$43=	\$ 43 \$ 18	-	
		Total Claims	2202	33 – 31 =	East Dr	\$9= 1e		ل	
3.	Addition	al fees: Terminal Disc	laimer fee u	nder 37 CFR					
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4.	Payment	of Fees		•	Tour	VV3 17 110 1111	ф110		
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	X The Commissioner is authorized to charge any additional fees and to credit a								
	overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, Deposit Account No 04-1679, referencing Atty. Docket No. R0367-0030								
		Deposit Account No A duplicate copy of the				ocket No.	KU36/-U(<u>13UZ</u> .	
		А пирисате сору от с	nis docume	nt is enclose:	u.	И			
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		•		Edward J. I		400			
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_	e Morris Varket	LL					1		
-		Suite 2000					•		
		, CA 94105							
Direc	t Dial:	(415) 371-2267					•		
Facsing SF\6307		15) 371-2201							

PATENT

IN	THE UNITED STAT	ES PATEN	T AND IK	ADEMA	CK OFFI	. <u>.</u>				
In re the applic	ation of Burbank et al.)	Examiner: C. A. Marmor, II							
	TROSURGICAL BIO ÆTHOD	CE)) Group Art Unit: 3736							
Serial No.: 10	/650,027		,)							
Filed: August	27, 2003	.)	TRANS	MITTAL	<u>.</u>					
Atty. Docket N	No.: R0367-00302	_	' '	 -		/				
I hereby certify the	CERTIFICATE OF Manat this these papers are being sent commissioner for Patents, P.O. Box	y facsimile to (//C 1,450, Alexandria	12) 872-3306,	TO 37 C.F.J. pssed to Exami on September	L. §1.8 iner C.A. Marm 14, 2004, in Sar	or, II, at Mail Stop a Francisco, CA.				
Mail Stop Amo Commissioner P.O. Box 1450 Alexandria, V	for Patents	•	, 0							
Dear Sir.										
1. Transmi and Res	tted herewith for filing i	in the above Mailed 06/1	-identified p 5/20/)4 and 1	atent appl <u>Cerminal</u> I	ication is a Disclaim <u>er</u>	n <u>Amendment</u> by Attorney.				
2. Claim F	Additional Claira Fee Calculation									
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	Independent Claims	2201	5-4=	1 x	\$43=	\$ 43				
	Total Claims	2202	33 – 31 =	2 x	\$9= 1e	\$ 18 \$ 61				
3. Addition	nal fees: Terminal Disc	laimer fee u	nder 37 CFR			<u>\$55</u>				
<i>y</i> , 1100110					ees Due	\$116				
4. Payment of Fees Enclosed is a check for the total fees due in the amount of X The Commissioner is authorized to charge any additional fees and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-00302. A duplicate copy of this document is enclosed.										
•		Ву:	Edward J.	Lynch	h					
Direct Dial:			Registratio	on Nơ. 24,	422					